

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JAMES WILLIAMS,

Case No. 2:14-cv-00414-APG-PAL

Plaintiff,

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LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, et al.,

ORDER

Defendants.

This matter is before the court on Plaintiff James Williams' failure to file an amended complaint. Plaintiff is a prisoner proceeding in this action pro se. In an Order (Dkt. #5) entered June 26, 2014, the court granted Plaintiff's Motion for Leave to Proceed In Forma Pauperis (Dkt. #1) and ordered Plaintiff to pay an initial partial filing fee pursuant to 28 U.S.C. § 1915(b)(1). On November 17, 2014, the court granted Plaintiff's Motion to Waive Initial Filing Fee (Dkt. #6) and screened Plaintiff's complaint pursuant to 28 U.S.C. § 1915. *See* Order (Dkt. #9).

The court found the Complaint stated a claim under the Fourth Amendment for an unreasonable seizure of Plaintiff's personal property against Defendants Firestine, LaVessieur, Fincher, LeHeay, Kompman, Johnson, Jane Doe, and John Does ##1, 2, 6, and 7, and Sergeant John Doe. The court dismissed Plaintiff's remaining claims with leave to amend and directed Plaintiff to file an amended complaint no later than December 17, 2014. The court advised Plaintiff that if he did not file an amended complaint by the deadline, the court would direct service of process as appropriate on the unreasonable seizure claim. Plaintiff has not filed an amended complaint or requested an extension of time in which to do so.

Having reviewed and considered the matter,

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1 **IT IS ORDERED:**

2 1. The Clerk of the Court shall file the Complaint and issue Summons to
3 Defendants, as set forth above, and deliver the same to the U.S. Marshal for
4 service. Plaintiff shall have twenty days in which to furnish the U.S. Marshal
5 with the required Form USM-285. Within twenty days after receiving from the
6 U.S. Marshal a copy of the Form USM-285, showing whether service has been
7 accomplished, Plaintiff must file a notice with the court identifying whether
8 defendant was served. If Plaintiff wishes to have service again attempted on an
9 unserved defendant, a motion must be filed with the court identifying the
10 unserved defendant and specifying a more detailed name and/or address for said
11 defendant, or whether some other manner of service should be attempted.
12 Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, service must be
13 accomplished within 120 days from the date this order is entered.

14 2. From this point forward, Plaintiff shall serve upon Defendants, or, if appearance
15 has been entered by counsel, upon the attorney(s), a copy of every pleading
16 motion or other document submitted for consideration by the court. Plaintiff shall
17 include with the original papers submitted for filing a certificate stating the date
18 that a true and correct copy of the document was mailed to the defendants or
19 counsel for the Defendants. The court may disregard any paper received by a
20 District Judge or Magistrate Judge which has not been filed with the Clerk, and
21 any paper received by a District Judge, Magistrate Judge, or the Clerk which fails
22 to include a certificate of service

23 Dated this 2nd day of January, 2015.

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25 PEGGY A. TEER
26 UNITED STATES MAGISTRATE JUDGE
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